



RESOLUTION

PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), RELATING TO WIND MACHINES.

WHEREAS, while clean renewable energy sources are essential to the development of sustainable communities, the siting of wind farm projects has been the subject of considerable controversy; and

WHEREAS, the rotation of wind machine blades produces audible low-frequency noises, infrasound, and shadow flicker patterns; and

WHEREAS, persons living in close proximity to wind farms have reported adverse health symptoms, including sleep disturbance, dizziness, headache, fatigue, and psychological distress, that they attribute to exposure to wind machines; and

WHEREAS, a 2018 study by a team of researchers from the University of Toronto found that residential proximity to wind turbines is correlated with annoyance and health-related quality of life measures; and

WHEREAS, the City's Land Use Ordinance ("LUO") currently requires horizontal-axis wind machines and ground-mounted vertical-axis wind machines to be set back from all property lines a minimum distance equal to the height of the system; and

WHEREAS, the Council believes there is a need to increase the setback distance for wind machines in order to protect people from any possible negative health impacts that wind machines may cause; and

WHEREAS, Charter Section 6-1513 provides that "[a]ny revision of or amendment to the zoning ordinances may be proposed by the council and shall be processed in the same manner as if proposed by the director [of planning and permitting]"; and

WHEREAS, the term "zoning ordinances," as used in Charter Section 6-1513, includes both amendments to the LUO and to ordinances designating particular parcels of property in terms of the LUO; and

WHEREAS, ROH Chapter 2, Article 24, Part A, establishes procedures and deadlines for the processing of the City Council ("Council") proposals to revise or amend the general plan, the development plans, the zoning ordinances, and the



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subdivision ordinance, and clarifies the responsibility of the Director of Planning and Permitting to assist the Council in adequately preparing its proposals for processing; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Director of Planning and Permitting and the Planning Commission are directed, pursuant to Charter Section 6-1513, and ROH Chapter 2, Article 24, Part A, to process the proposed amendment to ROH Chapter 21 (the "Land Use Ordinance"), attached hereto as Exhibit A, in the same manner as if the proposal had been proposed by the Director; and

BE IT FURTHER RESOLVED that the Director of Planning and Permitting is directed to inform the Council upon the transmittal of the Director's report and the proposed Land Use Ordinance amendment to the Planning Commission; and



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BE IT FINALLY RESOLVED that, pursuant to ROH Chapter 2, Article 24, Part A, the Clerk shall transmit copies of this resolution and the Exhibit attached hereto to the Director of Planning and Permitting and the Planning Commission, and shall advise them in writing of the date by which the Director's report and accompanying proposed ordinance are required to be submitted to the Planning Commission.

INTRODUCED BY:

Huda Tsunayoshi

DATE OF INTRODUCTION:

NOV 8 2019

Honolulu, Hawaii

Councilmembers

EXHIBIT A



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

A BILL FOR AN ORDINANCE

RELATING TO WIND MACHINES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address wind machine setbacks.

SECTION 2. Section 21-5.700, Revised Ordinances of Honolulu 1990 ("Wind machines"), is amended by amending subsection (a) to read as follows:

"(a) All horizontal-axis ~~[wind machines]~~ and ground-mounted vertical-axis wind machines with a rated capacity of up to 100 kilowatts must be set back from all property lines a minimum distance equal to the height of the system. Height includes the height of the tower or its vertical support structure and the farthest vertical extension of the wind machine. All horizontal-axis and ground-mounted vertical-axis wind machines with a rated capacity of more than 100 kilowatts must be set back from all property lines a minimum distance of five miles. Section 21-4.60(c)(7) notwithstanding, for rooftop mounted vertical-axis wind machines with a rated capacity of up to 100 kilowatts, the machinery must be set back pursuant to the height setbacks enumerated in articles 3 and 9 for the underlying zoning district or special district precinct."

SECTION 3. Ordinance material to be repealed is bracketed and stricken. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, underscoring.



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SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 19-305

Introduced: 11/08/19 By: HEIDI TSUNEYOSHI

Committee: ZONING, PLANNING AND
HOUSING

Title: RESOLUTION PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990
(THE LAND USE ORDINANCE), RELATING TO WIND MACHINES.

Voting Legend: * = Aye w/Reservations

02/27/20	ZONING, PLANNING AND HOUSING	CR-102(20) – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION. 5 AYES: ELEFANTE*, KOBAYASHI, MANAHAN, MENOR, WATERS.
03/18/20	COUNCIL	CANCELLED AND NOT CONSIDERED.
05/20/20	COUNCIL	CR-102(20) AND RESOLUTION 19-305 WERE ADOPTED. 9 AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



IKAIKA ANDERSON, CHAIR AND PRESIDING OFFICER